

REMARKS

I. Status Summary

Claims 12-42 are pending in the subject patent application. Claim 38 has been amended. New Claims 43-48 have been added. Therefore, upon entry of this Amendment, Claims 12-48 will be pending. No new matter has been introduced by the present amendment. Reconsideration of the application as amended and based on the arguments set forth hereinbelow is respectfully requested.

II. Objections to the Drawings

In the Official Action, the drawings were objected to under 37 CFR § 1.83(a) under the contention that the drawings do not show every feature of the invention specified in the claims. In particular, the Examiner contends that the drawings must show "the high voltage circuit operable to deliver an electrical shock to a pet" or the feature canceled from the claims. The description of Figure 9 in the specification of the subject patent application has been amended to state that the figure shows a correction device that can be a high voltage circuit for delivering an electrical shock to an animal, such as a pet. Accordingly, applicant respectfully submits that the drawings show "the high voltage circuit operable to deliver an electrical shock to a pet". Therefore, applicant respectfully requests that the objections to the drawings be withdrawn.

III. Claim Objections

The Examiner objected to Claims 40-42 because of informality. Specifically, the Examiner stated that the clean copy of Preliminary Amendment B dated August 2, 2002

includes new added Claims 40-42, which are incomplete and missing. Applicant inadvertently excluded sheet page number 8 including new added Claim 40-42 from Preliminary Amendment B dated August 2, 2002. Applicant submits herewith sheet page number 8 including Claims 40-42 for the Examiner's records. Accordingly, applicant respectfully submits that the objection to Claims 40-42 should be withdrawn.

IV. Claim Rejections 35 U.S.C. § 102

Claims 12-14, 16-23, 25-29, 31, 33, 35, and 37-42 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,685,786 to Dudley (hereinafter, "Dudley"). Applicant respectfully traverses the rejection and submits the following comments.

Regarding Claim 12, the Examiner contends that Dudley discloses:

the claimed receiver (the GPS receiver **44** and/or differential beacon receiver **46**, see Fig. 3, col. 22-31 and col. 7, lines 46-62); and the memory module (the landmark assignments for each zone **Z1-Z3** are stored in memory in EEPROM **98** and/or RAMS **100** and **102**, see Figs. 1 and 7, col. 3, lines 31-35, col. 6, lines 45-67 and col. 7, lines 1-27); and the processor module (the microprocessor **64** or micro-controller **72**, see Figs. 4, 6 and 7, col. 3, lines 31-35, col. 7, lines 24-27, col. 10, lines 4-10 and col. 11, lines 7-30); and the indicator (the LCD displays **54** and **78**, see Figs. 1, 5, 7 and 8, col. 3, lines 30-40, col. 7, lines 24-27, col. 8, lines 5-33 and col. 10, lines 4-22).

Official Action, page 3.

Applicant respectfully submits that Dudley does not disclose each and every element recited in Claim 12 and therefore does not anticipate the claim. Specifically, Dudley does not disclose a movable boundary detection device comprising: (1) a receiver operable to receive a positioning signal including actual position coordinates of a movable device in a first space; (2) a memory module including a memory to store predefined position coordinates for defining a boundary between a second space and

the first space; and (3) a processor module connected to the receiver and the memory module and operable to compare the actual position coordinates to the predefined position coordinates.

The Examiner contends that Dudley discloses a memory (i.e., EEPROM 98 and/or RAMS 100 and 102) that corresponds to the memory module recited in Claim 12. Official Action, page 3. EEPROM 98 and/or RAMS 100 and 102 store the coordinates of various landmarks T1-T14 located within zones Z1, Z2, and Z3 on a golf course. Dudley, column 6, lines 45-48, and Figures 1 and 7. The Dudley device can compare the position of a golf cart to any of landmarks T1-T14 and display the distance to each landmark on display 104. Dudley, column 7, lines 13-27. Applicant respectfully submits that Dudley does not disclose a memory storing position coordinates for defining a boundary between a second space and a first space. The coordinates stored in the Dudley memory simply define specific point coordinates on a golf course, not a boundary. In addition, applicant respectfully submits that Dudley does not disclose comparing actual position coordinates to the predefined position coordinates defining the boundary. Rather, Dudley compares the actual position of the golf cart to the coordinates of the individual landmarks T1-T14, not to position coordinates defining a boundary. Because Dudley does not disclose a memory storing position coordinates for defining a boundary between a second space and a first space, or comparing actual position coordinates to the predefined position coordinates defining the boundary, Dudley does not teach each and every feature recited in Claim 12 and, thus, cannot anticipate the subject matter recited in Claim 12.

Further, Dudley does not disclose an indicator operable to indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. As noted above, Dudley fails to disclose position coordinates that define a boundary. Therefore, the Dudley device cannot indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. Because Dudley does not disclose an indicator operable to indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space, Dudley does not teach each and every feature of the recited in Claim 12 and, thus, cannot anticipate the subject matter recited in Claim 12.

Based on the above comments, applicant respectfully requests that the rejection of Claim 12 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time. Additionally, applicant respectfully requests that the rejection of Claims 13, 14, and 16-19 under 35 U.S.C. § 102(b) be withdrawn and the claims allowed at this time because they are believed to be patentably distinguished based on their dependency on Claim 12.

Regarding Claim 20, the Examiner contends that all the claimed subject matter is cited in respect to Claims 12 and 17 as noted in the Official Action. Official Action, page 4. Applicant respectfully submits that Dudley does not disclose each and every element recited in Claim 20 and therefore does not anticipate the Claim 20. Specifically, Dudley does not disclose a boundary detection system having a boundary detection device comprising: (1) a first receiver operable to receive a positioning signal including actual position coordinates of a movable device in a first space; (2) a memory module

including a memory to store predefined position coordinates for defining boundaries of a second space; (3) a processor module operable to compare the actual position coordinates to the predefined position coordinates; and (4) a transmitter operable to transmit an alarm signal when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space.

As noted above with respect to Claim 12, Dudley does not disclose a memory storing position coordinates for defining a boundary between a second space and a first space. The coordinates stored in the Dudley memory simply define specific point coordinates on a golf course, not a boundary. In addition, as noted above, Dudley does not disclose comparing actual position coordinates to the predefined position coordinates defining the boundary. Rather, Dudley compares the actual position of the golf cart to the coordinates of individual landmarks. Because Dudley does not disclose a memory storing position coordinates for defining a boundary between a second space and a first space, or comparing actual position coordinates to the predefined position coordinates defining the boundary, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 20.

Further, regarding Claim 20, Dudley does not disclose a transmitter operable to transmit an alarm signal when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. As noted above, Dudley fails to disclose position coordinates that define a boundary. Therefore, the Dudley device cannot indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second

space. Because Dudley does not disclose an indicator operable to indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 20.

Based on the above comments, applicant respectfully requests that the rejection of Claim 20 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time. Additionally, applicant respectfully requests that the rejection of Claim 21 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time because it is believed to be patentably distinguished based on its dependency on Claim 20.

Regarding Claim 22, the Examiner contends that all the method claim features are met by the apparatus Claim 12 as noted in the Official Action. Official Action, page 4. Applicant respectfully submits that Dudley does not disclose each and every element recited in Claim 22 and therefore does not anticipate the Claim 22. Specifically, Dudley does not disclose a method for indicating a position of a movable device with respect to a geographical area, the method comprising: (1) defining a boundary of a first space and a second space with a set of predefined position coordinates; (2) receiving a positioning signal indicating actual position coordinates of a movable device in the second space; (3) comparing the actual position coordinates to the predefined position coordinates; and (4) indicating when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space.

As noted above with respect to Claim 12, Dudley does not disclose a step for defining a boundary of a first space and a second space with a set of predefined position coordinates. The coordinates stored in the Dudley memory simply define specific point coordinates on a golf course, not a boundary. In addition, as noted above, Dudley does not disclose comparing actual position coordinates to the predefined position coordinates defining the boundary. Rather, Dudley compares the actual position of the golf cart to the coordinates of individual landmarks. Because Dudley does not disclose a step for defining a boundary between a second space and a first space, or comparing actual position coordinates to the predefined position coordinates defining the boundary, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 22.

Further, regarding Claim 22, Dudley does not disclose a step for indicating when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. As noted above, Dudley fails to disclose position coordinates that define a boundary. Therefore, the Dudley device cannot indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. Because Dudley does not disclose a step for indicating when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 22.

Based on the above comments, applicant respectfully requests that the rejection of Claim 22 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time.

Additionally, applicant respectfully requests that the rejection of Claims 23, 25, 26, and 27 under 35 U.S.C. § 102(b) be withdrawn and the claims allowed at this time because they are believed to be patentably distinguished based on their dependency on Claim 22.

The Examiner also rejects Claims 28, 29, and 31. Claims 28, 29, and 31 are dependent upon Claim 12. Claim 12 is believed to be patentably distinguished from Dudley for the reasons provided above. Applicant respectfully requests that the rejection of Claims 28, 29, and 31 under 35 U.S.C. § 102(b) be withdrawn and the claims allowed at this time because they are believed to be patentably distinguished based on their dependency on Claim 12.

The Examiner also rejects Claims 33 and 35. Claims 33 and 35 are dependent upon Claim 20. Claim 12 is believed to be patentably distinguished from Dudley for the reasons provided above. Applicant respectfully requests that the rejection of Claims 33 and 35 under 35 U.S.C. § 102(b) be withdrawn and the claims allowed at this time because they are believed to be patentably distinguished based on their dependency on Claim 20.

The Examiner also rejects Claim 37. Claim 37 is dependent upon Claim 22. Claim 22 is believed to be patentably distinguished from Dudley for the reasons provided above. Applicant respectfully requests that the rejection of Claim 37 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time because it is believed to be patentably distinguished based on its dependency on Claim 22.

Regarding Claim 38, the Examiner contends that all the claimed subject matter is cited in respect to Claims 12, 16, and 17 as noted in the Official Action. Official Action,

page 6. Applicant respectfully submits that Dudley does not disclose each and every element recited in Claim 38 and therefore does not anticipate the Claim 38. Specifically, Dudley does not disclose a boundary detection device comprising: (1) a first receiver operable to receive a positioning signal including actual position coordinates of a movable device in a first space; (2) a memory module including a memory to store predefined position coordinates for defining boundaries of a second space; and (3) a first processor module operable to compare the actual position coordinates to the predefined position coordinates.

As noted above with respect to Claim 12, Dudley does not disclose a memory storing position coordinates for defining a boundary between a second space and a first space. The coordinates stored in the Dudley memory simply define specific point coordinates on a golf course, not a boundary. In addition, as noted above, Dudley does not disclose comparing actual position coordinates to the predefined position coordinates defining the boundary. Rather, Dudley compares the actual position of the golf cart to the coordinates of individual landmarks. Because Dudley does not disclose a memory storing position coordinates for defining a boundary between a second space and a first space, or comparing actual position coordinates to the predefined position coordinates defining the boundary, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 38. Therefore, based on the above comments, applicant respectfully requests that the rejection of Claim 38 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time.

Regarding Claim 39, the Examiner contends that all the claimed subject matter is cited in respect to Claims 12, 17, and 21 as noted in the Official Action. Official Action, page 6. Applicant respectfully submits that Dudley does not disclose each and every element recited in Claim 39 and therefore does not anticipate the Claim 39. Specifically, Dudley does not disclose a system for detecting a movable boundary including a first movable device comprising: (1) a first receiver operable to receive a positioning signal including position coordinates of a first movable device in a space; and (2) a transmitter operable to transmit a boundary signal indicating the position coordinates of the first movable device. In addition, Dudley does not disclose a second movable device comprising: (1) a second receiver operable to receive the boundary signal of the first movable device and a positioning signal including position coordinates of the second movable device in the space; (2) a processor module operable to compare the position coordinates of the first movable device to the second movable device; and (3) an indicator operable to indicate when the first movable device is a predetermined distance from the second movable device.

Dudley does not disclose a first movable device having a transmitter operable to transmit a boundary signal indicating the position coordinates of the first movable device. The coordinates stored in the Dudley memory simply define specific point coordinates on a golf course, not a boundary. Dudley does not disclose transmitting the coordinates to another device. In addition, Dudley does not disclose a second movable device operable to compare the position coordinates of the first movable device to the second movable device. Rather, Dudley compares the actual position of the golf cart to the coordinates of individual landmarks. There is no communication between the

landmarks and the device associated with the golf cart. Because Dudley does not disclose a first movable device having a transmitter operable to transmit a boundary signal indicating the position coordinates of the first movable device, or a second movable device operable to compare the position coordinates of the first movable device to the second movable device, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 39.

Further, regarding Claim 39, Dudley does not disclose an indicator operable to indicate when the first movable device is a predetermined distance from the second movable device. As noted above, Dudley fails to disclose a first and second movable device as recited in Claim 39. Therefore, the Dudley device cannot indicate when the first movable device is a predetermined distance from the second movable device. Because Dudley does not disclose an indicator operable to indicate when the first movable device is a predetermined distance from the second movable device, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 39.

Based on the above comments, applicant respectfully requests that the rejection of Claim 39 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time. Additionally, applicant respectfully requests that the rejection of Claim 40 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time because it is believed to be patentably distinguished based on its dependency on Claim 39.

Regarding Claim 41, the Examiner states that all of the method claimed limitations are met by the apparatus Claim 12. Official Action, page 7. Applicant

respectfully submits that Dudley does not disclose each and every element recited in Claim 41 and therefore does not anticipate the Claim 41. Specifically, Dudley does not disclose a method for defining position coordinates of a boundary in a boundary detection device, wherein the method includes providing a boundary detection device having a memory module including a memory operable to store position coordinates of a boundary. In addition, Dudley does not disclose (1) moving the boundary detection device along a boundary of a second space; (2) receiving position coordinates as the boundary detection device moves along the boundary of the second space; and (3) storing the position coordinates of the boundary of the second space in the memory.

As noted above with respect to Claim 12, Dudley does not disclose a memory operable to store position coordinates of a boundary. The coordinates stored in the Dudley memory simply define specific point coordinates on a golf course, not a boundary. Because Dudley does not disclose a memory, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 41.

Further, regarding Claim 41, Dudley does not disclose (1) moving the boundary detection device along a boundary of a second space; (2) receiving position coordinates as the boundary detection device moves along the boundary of the second space; and (3) storing the position coordinates of the boundary of the second space in the memory. As noted above, Dudley fails to disclose storing position coordinates that define a boundary. Therefore, the Dudley device cannot receive position coordinates defining a boundary as the device is moved along the boundary. Because Dudley does not disclose storing position coordinates that define a boundary, Dudley does not teach

each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 41. Therefore, based on the above comments, applicant respectfully requests that the rejection of Claim 41 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time.

Regarding Claim 42, applicant respectfully submits that Dudley does not disclose each and every element recited in Claim 42 and therefore does not anticipate the claim. Specifically, Dudley does not disclose a movable boundary detection device comprising: (1) a memory operable to store medical parameters; and (2) a transmitter operable to transmit a signal including medical parameters and actual position coordinates of the movable device to a base station. The Examiner contends that all the claimed subject matter is cited in respect to Claim 12 as noted in the Official Action. Official Action, page 7. Applicant respectfully submits that Dudley does not disclose a device for storing or transmitting medical parameters. In contrast, Dudley discloses the transmission of position coordinates. Because Dudley does not disclose a device for storing or transmitting medical parameters, Dudley does not teach each and every limitation of the presently claimed invention and, thus, cannot anticipate the subject matter recited in Claim 42. Therefore, applicant respectfully requests that the rejection of Claim 42 under 35 U.S.C. § 102(b) be withdrawn and the claim allowed at this time.

IV. Claim Rejections 35 U.S.C. § 103

Claims 15 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dudley in view of U.S. Patent No. 6,232,880 to Anderson et al. (hereinafter, "Anderson"). Claims 30 and 32 were rejected under 35 U.S.C. § 103(a) as being

unpatentable over Dudley in view of U.S. Patent No. 5,963,130 to Schlager et al. (hereinafter, "Schlager"). These rejections are respectfully traversed.

IV.A. The Rejection Under 35 U.S.C. § 103 as Being Unpatentable Over
Dudley In View of Anderson

Regarding Claim 15, the Examiner states that Dudley fails to disclose the high voltage circuit operable to deliver an electrical shock to a pet when the actual position coordinates are the predetermined distance from the boundary between the first and second space. Official Action, page 7. The Examiner contends that Dudley teaches a microprocessor **64** or microcontroller **72** operable to display golf cart position information and sound a warning when the golf cart is located between boundaries, zones 1-3 and/or landmarks of interest Official Action, page 7. The Examiner also contends that Anderson suggests that device **1** worn by an animal **2** includes a microprocessor-based computer control unit for receiving the animal position signal from a GPS receiver, interpreting the data to determine the direction of animal movement, comparing its position with the position of a predetermined boundary to compare the closest boundary line and the distance of the animal therefrom, and selectively controlling activation of electric shock/stimuli generators **13** when the animal is positioned between the first and second boundary line. Official Action, pages 7 and 8. Further, the Examiner contends that it would have been obvious to one of skill in the art to substitute the microprocessor and electric shock generator disclosed by Anderson for the microprocessor disclosed by Dudley for extending applications of using the position

determination to track/monitor an animal, pet and/or movement of objects/subjects without changing the scope of position tracking. Official Action, page 8.

Claim 15 depends from Claim 12. Claim 12 recites a movable boundary detection device comprising: (1) a receiver operable to receive a positioning signal including actual position coordinates of a movable device in a first space; (2) a memory module including a memory to store predefined position coordinates for defining a boundary between a second space and the first space; (3) a processor module operable to compare the actual position coordinates to the predefined position coordinates; and (4) an indicator operable to indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. Summarily, neither Dudley nor Anderson, alone or in combination, discloses (1) a receiver operable to receive a positioning signal including actual position coordinates of a movable device in a first space; (2) a memory module including a memory to store predefined position coordinates for defining a boundary between a second space and the first space; (3) a processor module operable to compare the actual position coordinates to the predefined position coordinates; and (4) an indicator operable to indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. Additionally, Anderson offers no suggestion to modify the device or method disclosed therein to arrive at the presently claimed invention.

As stated above, Dudley does not disclose the above features of Claim 12. Anderson fails to overcome the significant shortcomings of Dudley. Anderson is directed to a device for attachment to an animal that can change the animal's location

and direction of movement through one or a series of cues (aversive stimuli) administered bilaterally to either the right or left side of the animal's body and/or head. Anderson, column 3, lines 34-38. The cues can be administered should the animal attempt to leave a zone of inclusion and enter a zone of exclusion by penetrating a boundary separating the two zones. Anderson, column 3, lines 45-48. The position of the animal is monitored with a satellite positioning system, such as GPS, and these data are then used to determine the location of the animal and its direction of movement relative to boundaries, and the angle of incidence between the animal's direction of movement and the nearest boundary. Anderson, column 3, lines 52-58.

The Anderson device operates by comparing the position of the animal and its direction of movement with the position of threshold lines and/or boundary lines to determine if a line has been contacted or crossed, and to determine which side of the animal is nearest to this line. Anderson, column 7, lines 12-19. Once it has been determined that a threshold line has been contacted or crossed, application of the stimulus can be applied to the animal. Anderson, column 7, lines 19-23. In contrast, the device recited in Claim 12 compares actual position coordinates to predefined position coordinates, and indicates when the actual position coordinates are a predetermined distance from the boundary between a first space and a second space. Rather, Anderson compares the position of the animal to a boundary line to determine whether the boundary line has been contacted or crossed. Anderson fails to disclose or suggest comparing actual position coordinates to predefined position coordinates, and indicating when the actual position coordinates are a predetermined distance from the boundary between a first space and a second space. Applicant respectfully submits that there is

no disclosure or suggestion in Anderson of utilizing a predetermined distance as recited in Claim 12. Accordingly, because of the dependency of Claim 15 on Claim 12, it is respectfully submitted that the rejection of Claim 15 should now be withdrawn.

Regarding Claim 24, the Examiner contends that all the claimed subject matters are discussed between Dudley and Anderson in respect to Claims 15 and 22 as noted in the Official Action. Official Action, page 8. Claim 24 depends from Claim 22. Claim 22 recites a method comprising (1) comparing actual position coordinates to predefined position coordinates; and (2) indicating when the actual position coordinates are a predetermined distance from the boundary between a first and second space. Summarily, neither Dudley nor Anderson, alone or in combination, discloses (1) comparing actual position coordinates to predefined position coordinates; and (2) indicating when the actual position coordinates are a predetermined distance from the boundary between a first and second space. Additionally, Anderson offers no suggestion to modify the device or method disclosed therein to arrive at the presently claimed invention.

As stated above, Dudley does not disclose the above features of Claim 22. Anderson fails to overcome the significant shortcomings of Dudley. As noted above, Anderson compares the position of the animal to a boundary line to determine whether the boundary line has been contacted or crossed. Anderson fails to disclose or suggest comparing actual position coordinates to predefined position coordinates, and indicating when the actual position coordinates are a predetermined distance from the boundary between a first space and a second space. Applicant respectfully submits that there is no disclosure or suggestion in Anderson of utilizing a predetermined distance as recited

in Claim 22. Accordingly, because of the dependency of Claim 24 on Claim 22, it is respectfully submitted that the rejection of Claim 24 should now be withdrawn.

In addition, a Declaration of prior inventorship pursuant to 37 C.F.R. § 1.131 is attached hereto. In the Declaration, Robert Ernest Troxler, the sole inventor in the subject U.S. patent application, declares that he conceived of the invention claimed in the claims of the patent application at least as early as July 13, 1999. In addition, Robert Ernest Troxler declares that work on reducing the invention to practice was performed continuously from July 13, 1999 until December 26, 2000, the filing date of the provisional patent application (U.S. Provisional Patent Application No. 60/258,246) from which the subject patent application claims benefit.

The Declaration references a document that supports Mr. Troxler's declarations. The document contains pages from Mr. Troxler's Workbook describing the claimed invention. The Workbook describes a movable boundary detection device based on a coordinate system, in particular the GPS coordinate system. The Workbook describes programming position coordinates for indicating when the actual coordinate position of a device is a predetermined distance from a boundary.

Thus, based on the attached Declaration and supporting documentation, it is respectfully submitted that Applicant has established an invention date at least as early as July 13, 1999 and that Applicant was diligent in reducing the invention to practice with the filing of U.S. Provisional Patent Application No. 60/258,246 on December 26, 2000. The 35 U.S.C. § 102(e) date of Anderson is July 14, 1999. Accordingly, Applicant respectfully submits that Anderson is not prior art to the claimed invention and

respectfully request that the rejection of Claims 15 and 24 should be withdrawn for this additional reason.

IV.B. The Rejection Under 35 U.S.C. § 103 as Being Unpatentable Over

Dudley In View of Schlager

Regarding Claim 30, the Examiner states that Dudley fails to disclose the transmitter operable to transmit a signal including medical parameters. Official Action, page 8. The Examiner contends that Dudley teaches a golf cart including a card motion sensor 51 and a RF transmitter/receiver 60 for transmitting a current position to a remote clubhouse 26 for display, warning and exchanging information therebetween. Official Action, page 8. The Examiner also contends that Schlager suggests self locating remote monitoring system comprising a base station 754 and one or more remote monitor units 752. Official Action, page 9. Further, the Examiner contends that remote monitor unit 752 includes a transmitter 560 for transmitting of patient physiological parameters detected by sensor 558 to base station 754. Official Action, page 9. The Examiner also contends that it would have been obvious to one of skill in the art to substitute the transmitter and sensors of Schlager for the RF transmitter and sensor of Dudley for using the position monitoring device to monitor a child and/or patient physical conditions for immediate response according thereto. Official Action, page 9.

Regarding Claim 32, the Examiner states that Dudley fails to disclose the receiver operable to receive a polling signal and including a transmitter operable to transmit a positioning signal including the actual position coordinates in response to

receiving the polling signal. Official Action, page 9. The Examiner contends that Dudley teaches that DGPS receiver **42** and/or GPS receiver **44** receives the golf cart position signal and calculates a new position when the golf cart is stopped. Official Action, page 9. Further, the Examiner contends RF transmitter/receiver **60** transmits the current position to a remote clubhouse **26**. Official Action, page 9. The Examiner also contends that Schlager suggests that a self locating remote monitoring system comprising a base station **84** and remote monitor units **82**. Official Action, page 9. The Examiner also contends that Schlager discloses that base station **84** periodically polls each remote unit **82** by transmitting a command **180** requiring remote unit **82** to respond with message format **150**. Official Action, pages 9 and 10. Further, the Examiner contends that it would have been obvious to one of skill in the art to substitute the polling transmitter and receiver of Schlager for the transmitter/receiver of Dudley. Official Action, page 10.

Claims 30 and 32 depend from Claim 12. Claim 12 recites a movable boundary detection device comprising: (1) a receiver operable to receive a positioning signal including actual position coordinates of a movable device in a first space; (2) a memory module including a memory to store predefined position coordinates for defining a boundary between a second space and the first space; (3) a processor module operable to compare the actual position coordinates to the predefined position coordinates; and (4) an indicator operable to indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. Summarily, neither Dudley nor Schlager, alone or in combination, discloses (1) a receiver operable to receive a positioning signal including actual position coordinates of a movable device in a first space; (2) a memory module including a memory to store

predefined position coordinates for defining a boundary between a second space and the first space; (3) a processor module operable to compare the actual position coordinates to the predefined position coordinates; and (4) an indicator operable to indicate when the actual position coordinates are a predetermined distance from the boundary between the first space and the second space. Additionally, Schlager offers no suggestion to modify the device or method disclosed therein to arrive at the presently claimed invention.

As stated above, Dudley does not disclose the above features of Claim 12. Schlager fails to overcome the significant shortcomings of Dudley. Schlager is directed to a self-locating remote monitoring system **750** having a supervising base station **754** and remote monitoring units **752**. Schlager, column 17, lines 54-58, and Figure 21. Each of units **752** includes a navigational receiver **756** operating with an existing navigational system for providing a remote unit location **759** and includes a transmitter **758** for communicating location **759** to base station **754**. Schlager, column 18, lines 1-9. Remote unit **752** also include one or more physiological/environmental sensors **760** for monitoring at remote location **759**. Schlager, column 18, lines 9-17. In contrast, the device recited in Claim 12 compares actual position coordinates to predefined position coordinates, and indicates when the actual position coordinates are a predetermined distance from the boundary between a first space and a second space. Schlager fails to disclose or suggest comparing actual position coordinates to predefined position coordinates, and indicating when the actual position coordinates are a predetermined distance from the boundary between a first space and a second space. Accordingly,

because of the dependency of Claims 30 and 32 on Claim 12, it is respectfully submitted that the rejection of Claims 30 and 32 should now be withdrawn.

V. New Claims

New Claims 43 and 44 are added. Support for new Claims 43 and 44 is found throughout the subject patent application.

CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the subject patent application is now in proper condition for allowance, and such action is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

DEPOSIT ACCOUNT

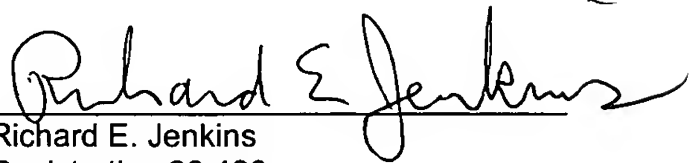
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

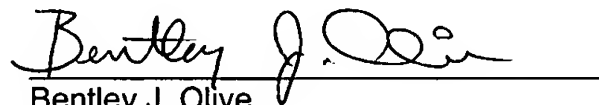
Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: July 13, 2004

By:


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Registration 28,428


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Registration No. 44,985
Customer No. 25297

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REJ/BJO

distance from the boundary between the first space and the second space.

41. (New) A method for defining position coordinates of a boundary in a boundary detection device, the method comprising:

- (a) providing a boundary detection device, comprising:
 - (i) a receiver operable to receive a positioning signal including actual position coordinates of the detection device in a first space; and
 - (ii) a memory module including a memory operable to store position coordinates of a boundary;
- (b) moving the boundary detection device along a boundary of a second space;
- (c) receiving position coordinates as the boundary detection device moves along the boundary of the second space; and
- (d) storing the position coordinates of the boundary of the second space in the memory.

42. (New) A movable boundary detection device, comprising:

- (a) a receiver operable to receive a positioning signal including actual position coordinates of a movable device in a first space;
- (b) a memory operable to store medical parameters; and
- (c) a transmitter connected to the receiver and memory, operable to transmit a signal including medical parameters and the actual position coordinates of the movable device to a base station.

REMARKS

Claims 12, 15-20, 22, and 24-27 are amended. Claims 28-42 are added by this amendment. Upon entry of this amendment, claims 12-42 will be pending. Support for the noted amendments can be found throughout the subject application as filed, particularly in the Examples and Figures.